

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants: Kumar et al.  
Title: ELECTROCHEMILUMINESCENCE FLOW CELL AND FLOW  
CELL COMPONENTS  
Appl. No.: 10/600,164  
Filing Date: 06/19/2003  
Examiner: Turk, Neil N.  
Art Unit: 1797  
Confirmation No.: 9722

Mail Stop **ISSUE FEE**  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**ISSUE FEE TRANSMITTAL**

Enclosed herewith please find Issue Fee Transmittal Form PTOL-85(B).

Fees in the amount of **\$1,810.00** for payment of the Issue Fee and the Publication Fee are being paid by credit card via EFS-Web.

**COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE**

The Examiner stated the following:

The prior art of record, particularly Niyama or Liljestrand, do not teach or fairly suggest the electrochemiluminescence cell of claim 1 with an electrode comprising a platinum alloy consisting essentially of the chemical elements recited. Further, the prior art of record does not teach or fairly suggest the method of conducting electrochemiluminescence of claim 37 which provides an electrode comprising a platinum alloy consisting essentially of the chemical elements recited. Additionally, the prior art of record does not teach or fairly suggest the electrochemiluminescence cells of claims 62-64 with the specific electrode alloy compositions recited. This subject matter is further seen to be allowable in view of the unexpected results shown (by Applicant's remarks submitted on 7/17/08) over the prior art of record for the specific electrode alloy compositions of independent claims 1, 37, and 62-64.

While the Applicants agree that the allowed claims recite a combination of subject matter that is patentable over the cited references, the Applicants do not necessarily agree with or acquiesce in the reasoning of the Examiner. Moreover, the Applicants note that various other subject matter and/or combinations of subject matter may be patentable for other reasons than those given by the Examiner. The Applicants expressly reserve the right to set forth additional and/or alternative reasons for patentability and/or allowance in connection with the present Application or any future proceeding.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by the credit card payment instructions in EFS-Web being incorrect or absent, resulting in a rejected or incorrect credit card transaction, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

Respectfully submitted,

Date May 22, 2009

By /John M. Lazarus/

FOLEY & LARDNER LLP  
Customer Number: 26371  
Telephone: (414) 297-5591  
Facsimile: (414) 297-4900

John M. Lazarus  
Attorney for the Applicants  
Registration No. 48,367